104TH CONGRESS 1ST SESSION

H. R. 2074

To designate certain Bureau of Land Management Land in the State of Montana to preserve unique cultural and natural features.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 1995

Mr. Williams introduced the following bill; which was referred to the Committee on Resources

A BILL

To designate certain Bureau of Land Management Land in the State of Montana to preserve unique cultural and natural features.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be referred to as the "Sweetgrass Hills
- 5 Protection Act of 1995".
- 6 SEC. 2. SPECIAL MANAGEMENT AREA.
- 7 (a) IN GENERAL.—For the purpose of conserving,
- 8 protecting, and enhancing the exceptional scenic, wildlife,
- 9 water quality, and cultural characteristics of lands along
- 10 the Sweetgrass Hills in north central Montana, there is

- 1 hereby established the Sweetgrass Hills Natural Area
- 2 within the Bureau of Land Management's Sweetgrass
- 3 Hills Area of Critical Environmental Concern (ACEC) as
- 4 identified in the West HiLine Resource Management Plan
- 5 in the State of Montana (hereinafter in this Act referred
- 6 to as the "natural area").
- 7 (b) Area Included.—The natural area shall consist
- 8 of the lands, waters, and interests therein within the area
- 9 generally depicted on the map entitled "Boundary
- 10 Map, . . .'', numbered ______, and Dated
- 11 _____. The map shall be on file and available for
- 12 public inspection in the office of the Bureau of Land Man-
- 13 agement, Department of the Interior. The Secretary of the
- 14 Interior (hereinafter in this Act referred to as the "Sec-
- 15 retary") may from time to time make minor revisions in
- 16 the boundary of the natural area to promote management
- 17 effectiveness and efficiency in the furtherance of this Act.
- 18 SEC. 3. ADMINISTRATION.
- 19 (a) IN GENERAL.—The Secretary shall administer
- 20 the natural area in accordance with this Act and with the
- 21 provisions of law generally applicable to units of the Bu-
- 22 reau of Land Management. In the administration of such
- 23 natural area, the Secretary may utilize such statutory au-
- 24 thority as may be available to him for the conservation
- 25 of wildlife, natural and cultural resources, and water qual-

- 1 ity as he deems necessary to carry out the purposes of
- 2 this Act.
- 3 (b) Hunting and Fishing.—The Secretary shall
- 4 permit hunting and fishing on lands and waters within the
- 5 natural area in accordance with applicable Federal and
- 6 State law.

7 SEC. 4. ACQUISITION OF LANDS.

- 8 The Secretary is directed to acquire lands or interests
- 9 in lands within the boundaries of the natural area that
- 10 are necessary to carry out the purposes of this Act by do-
- 11 nation, purchase with donation or appropriated funds, or
- 12 exchange. Lands within the boundaries of the natural area
- 13 owned by the State of Montana or any political subdivision
- 14 thereof may only be acquired by donation or exchange.

15 SEC. 5. MINERALS AND MINING.

- 16 (a) WITHDRAWALS.—After the enactment of this Act:
- 17 (1) Lands within the natural area shall not be
- open to location of mining claims under the mining
- laws of the United States.
- 20 (2) The Secretary shall not issue any lease
- 21 under the mineral leasing or geothermal leasing laws
- of the United States for lands within the natural
- 23 area.
- 24 (3) Lands within the natural area shall not be
- available for disposal of mineral materials under the

- 1 Act of July 31, 1947, commonly known as the Mate-
- 2 rials Act of 1947 (30 U.S.C. 601 and following).
- 3 (b) Limitation on Patent Issuance.—(1) Not-
- 4 withstanding any other provision of law, no patents shall
- 5 be issued after July 19, 1995, for any location or claim
- 6 made in the natural area under the mining laws of the
- 7 United States.
- 8 (2) Notwithstanding any statute of limitations or
- 9 similar restriction otherwise applicable, any party claiming
- 10 to have been deprived of any property right enactment of
- 11 paragraph (1) may file in the United States Claims Court
- 12 a claim against the United States within one year after
- 13 the date of enactment of this Act seeking compensation
- 14 for such property right. The United States Claims Court
- 15 shall have jurisdiction to render judgement on such claim
- 16 in accordance with section 1491 of title 28, United States
- 17 Code.
- 18 (c) Prohibition.—No Federal lands may be used in
- 19 connection with any mining or mining related activities
- 20 within the Natural Area.
- 21 (d) Reclamation.—No mining or mining related ac-
- 22 tivities involving any surface disturbance of lands or wa-
- 23 ters within such area, including disturbances through sub-
- 24 sistence, shall be permitted except in accordance with re-
- 25 quirements imposed by the Secretary, including require-

- 1 ments for reasonable reclamation of disturbed lands to a
- 2 visual and hydrological condition as close as practicable
- 3 to their premining condition.
- 4 (e) Mining Claim Validity Review.—The Sec-
- 5 retary shall undertake and complete within three years
- 6 after the enactment of this Act an expedited program to
- 7 examine all unpatented mining claims, including those for
- 8 which a patent application has been filed, within the natu-
- 9 ral area. Upon determination by the Secretary that the
- 10 elements of contest are present, the Secretary shall imme-
- 11 diately determine the validity of such claims. If a claim
- 12 is determined to be invalid, the Secretary shall declare the
- 13 claim null and void.
- 14 SEC. 6. AUTHORIZATION FOR APPROPRIATIONS.
- There are authorized to be appropriated such sums
- 16 as may be necessary to carry out the purposes of this Act.

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